



STATE OF IOWA

CHESTER J. CULVER, GOVERNOR
PATTY JUDGE, LT. GOVERNOR

DEPARTMENT OF HUMAN SERVICES
KEVIN W. CONCANNON, DIRECTOR

February 22, 2008

GENERAL LETTER NO. 10-C(1)-10

ISSUED BY: Bureau of Collections,
Division of Child Support, Case Management, and Refugee Services

SUBJECT: Employees' Manual, Title X, Chapter C(1), ***ENFORCEMENT OF SUPPORT OBLIGATIONS***, pages 5 and 6, revised.

Summary

This chapter on enforcement of support obligations is revised to clarify information about liens on real estate. The revised material includes additional wording to clarify that:

- ◆ The lifespan of a lien on real estate is ten years.
- ◆ All liens still in force must be cleared before Iowa property can be bought or sold.
- ◆ All settlement and releases of liens are handled through the regional collections administrators.

Effective Date

Upon receipt.

Material Superseded

Remove the following pages from Employees' Manual, Title X, Chapter C(1), and destroy them:

<u>Page</u>	<u>Date</u>
5, 6	March 18, 2005

Additional Information

Refer questions about this general letter to your regional collections administrator

ENFORCEMENT OF SUPPORT OBLIGATIONSDEBTOR'S EXAMINATION (Cont.)Exemption from Execution (Cont.)Comment (Cont.)

Legal reference: Iowa Code Section 630.6

IMPOSITION OF LIENS**Policy**

The Child Support Recovery Unit shall require that a lien or attachment be imposed against the real and personal property of an absent parent who owes overdue support and who owns property in the state.

All support orders in Iowa automatically have the same force and effect as judgments upon the entry by the clerk of the court in the judgment docket and lien index. The requirement for the imposition of liens shall apply for all IV-D cases, including interstate cases.

Comment

Legal reference: Iowa Code Sections 598.22 and 624.24

Procedure

CSRU staff shall ensure that all orders for support, including interstate orders, are appropriately filed with the clerk of the district court in the county where the absent parent resides and also in any other Iowa county where the absent parent owns real property.

Liens Against Real Property**Policy**

Child support orders in Iowa automatically become a judgment against all of the real property of the absent parent in the Iowa county where the order is filed. The judgment creates a lien with an initial lifespan of ten years on this real estate.

ENFORCEMENT OF SUPPORT OBLIGATIONSIMPOSITION OF LIENS (Cont.)Liens Against Real Property (Cont.)**Comment**

If the property is located in the same county as the order was issued in, the judgment is reflected in the lien docket book. However, if the absent parent owns property in a county other than that where the order was issued, steps should be taken to transcribe the order to the Iowa county or counties where the property is located.

Before an Iowa property can be bought or sold, all liens still in force against the property must be cleared. All settlements and release of liens are handled through the regional collections administrators.

Legal reference: Iowa Code Sections 598.22 and 624.24

Liens Against Personal Property**Policy**

The CSRU shall use the levy of execution process to perfect a lien against the personal property of the absent parent who owes overdue support and owns personal property in the state. The levy of execution shall be initiated unless determined inappropriate under Guidelines for Application.

Comment

From the time the levy is executed against the personal property, there shall be a lien on the interest of the absent parent in the property for which the levy is executed.

Legal reference: Iowa Code Sections 626.1 and 626.33

Procedure

The procedures for the levy of an execution are described under GARNISHMENTS AND EXECUTIONS.